

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

<p>STATE OF NEW YORK, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>TOWN OF CLARKSTOWN, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p>CIVIL NO. 11-CV-0293 (KMK/JCM)</p> <p>TENTH MODIFICATION TO CONSENT DECREE</p>
<p>ALLIED WASTE NORTH AMERICA INC., et al.</p> <p style="text-align: center;">Settling Defendants/Third-Party Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>AM COSMETICS CORP. et al.,</p> <p style="text-align: center;">Third-Party Defendants.</p>	

TENTH MODIFICATION TO CONSENT DECREE

WHEREAS, on March 21, 2011, this Court entered the Consent Decree in the above-captioned case;

WHEREAS, the Consent Decree provides at paragraph 4 that Settling Defendants/Third-Party Plaintiffs (and all other Settling Defendants at applicable points in time) pay a total of \$4,000,000 to the State in order to resolve their liability under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. § 9601 *et seq.*, for contamination at the Clarkstown Landfill located in the Hamlet of West Nyack, Town of Clarkstown, in Rockland County, New York (“Site”);

WHEREAS, this Court entered a First Modification to the Consent Decree on January 24, 2012 (Dkt. No. 11), which reduced the Clarkstown Landfill JDG’s total payment obligation under the Consent Decree from \$4,000,000 to \$3,750,000, and which added fifteen additional

parties as Appendix B Settling Defendants to the Consent Decree;

WHEREAS, the Court entered a Second Modification to the Consent Decree on February 11, 2014 (Dkt. No. 256), which added eighteen additional parties as Appendix B Settling Defendants to the Consent Decree;

WHEREAS, the Court entered a Third Modification to the Consent Decree on April 3, 2014 (Dkt. No. 285), which added eighteen additional parties as Appendix B Settling Defendants to the Consent Decree;

WHEREAS, the Court entered a Fourth Modification to the Consent Decree on March 18, 2015 (Dkt. No. 473), which added twelve additional parties as Appendix B Settling Defendants to the Consent Decree;

WHEREAS, the Court entered a Fifth Modification to the Consent Decree on October 9, 2015 (Dkt. No. 547), which added three additional parties as Appendix B Settling Defendants to the Consent Decree;

WHEREAS, the Court entered a Sixth Modification to the Consent Decree on December 16, 2016 (Dkt. No. 576), which added three additional parties as Appendix B Settling Defendants to the Consent Decree;

WHEREAS, the Court entered a Seventh Modification to the Consent Decree on May 1, 2017 (Dkt. No. 613), which added six additional parties as Appendix B Settling Defendants to the Consent Decree;

WHEREAS, the Court entered an Eighth Modification to the Consent Decree on July 26, 2017 (Dkt. No. 639), which added one additional party as an Appendix B Settling Defendant to the Consent Decree;

WHEREAS, the Court entered a Ninth Modification to the Consent Decree on October

10, 2017 (Dkt. No. 650), which added three additional parties as Appendix B Settling Defendants to the Consent Decree;

WHEREAS, as a result of a settlements between the Clarkstown Landfill JDG and two additional parties, the State and the Clarkstown Landfill JDG have jointly moved to add two additional parties as Appendix B Settling Defendant to the Consent Decree;

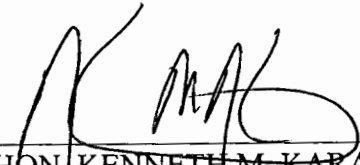
WHEREAS, the additional parties have executed signature pages to the Consent Decree to evidence their agreement to be added to the Consent Decree as Appendix B Settling Defendants and to abide by the terms of the Consent Decree;

NOW, THEREFORE, the Consent Decree is further modified to add the following parties as signatories and Appendix B Settling Defendants:

Miele Sanitation Co.

Plastic-Craft Products Corp.

SO ORDERED THIS 27th DAY OF December, 2017.



HON. KENNETH M. KARAS
United States District Judge

Party Name:

MIELE SANITATION CO

Dated: 12/15/17

By: 

Name: Joseph Miele

Title: President

Party Name:

PLASTIC-CRAFT PRODUCTS CORP.

Dated: 11/9/17

By: [Signature]
Name: _____
Title: Pres